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BERGER, MICHELENA &

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SEP 21 2005

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY
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5 (213) 624-4001

6 Attorney for Defendant
7 OGANESS BABELYAN

8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,,

13 Vs.

14
15
16
17 OGANESS BABELYAN,
18 Defendant.

) Case No.: S04-414 EJG

) STIPULATION TO CONTINUANCE
19 SENTENCING

Order

CLETG

20
21 Defendant OGANESS BABELYAN, ("defendant"), by and through his
22 counsel of record, EDWIN TOLMAS, and Plaintiff United States of America, by
23 and through its counsel of record, Assistant United States Attorney DANIEL
24 LINDHARDT, and hereby stipulate as follows:

25 1. An information alleging that defendant illegally submitted false billing in
26 Medicare matters in violation of 18 U.S.C. was filed on

27 On July 15, 2005, defendant

1 The defendant pleaded guilty to the information, pursuant to a written
 2 plea agreement. At the change of plea, the court set defendant's sentencing for
 3 September 23rd 2005 at 10:00 A.M.

4 2. Both parties believe a continuance would be helpful in preparation for
 5 sentencing, and defendant believes additional time prior to the hearing may result
 6 in an overall sentencing benefit to defendant. Specifically, defendant has agreed to
 7 assist the government by discussing his liability in the matter assist. Therefore, the
 8 parties believe it would be beneficial to move defendant's sentencing date so that
 9 briefing to the court on defendant's cooperation may be prepared.

10 3. Therefore, the parties make a first request for a continuance of the
 11 sentencing in this matter. The parties propose October 14, 2005 at 10:00 a.m. as
 12 the new sentencing date.

13
 14 IT IS SO STIPULATED.

Respectfully Submitted,

17 MCGREGOR SCOTT

18 United States Attorney

19
 20 Dated: September 20, 2005

21 15/ DANIEL LINDHARDT
 22 DANIEL LINDHARDT

23 Assistant United States Attorney

Attorneys for Plaintiff

UNITED STATES OF AMERICA

24
 25 Dated: September 20, 2005

26 Edwin Tolmas
 27 EDWIN TOLMAS

Attorney for Defendant

OGANESS BABELYAN

-2-

30 STIPULATION TO CONTINUANCE SENTENCING

Received at: 2:42PM, 9/20/2005

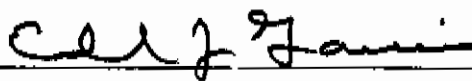
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1
2 **ORDER**

3
4 IT IS SO FOUND AND ORDERED this 20th day of September 2005.
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6 
7 HONORABLE EDWARD J. GARCIA
8 UNITED STATES DISTRICT JUDGE
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